

1 Milton O. Crawford
2 P.O. Box 9263
3 Pahrump, NV 89060
4 (775) 537-3949

SEP - 1 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	BY: _____ DEPUTY

5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

9 MILTON O. CRAWFORD,) **2:20-cv-01622-JAD-BNW**
10)
11 Plaintiff,)
12 Vs.)
13) Claim For Relief
14 The Kroger Company et al) **WITH DEMAND FOR TRIAL BY JURY**
15)
16 Defendants)

17
18 I, Milton O. Crawford (the Plaintiff) a 58 year old male, a resident of Pahrump, Nevada;
19 Nye County, filed its Amended Complaint; 2:12-CV-00122 against the Kroger Company the
20 proper defendant, Parent Company and required joinder party having an interest on Monday
21 April 09, 2012,

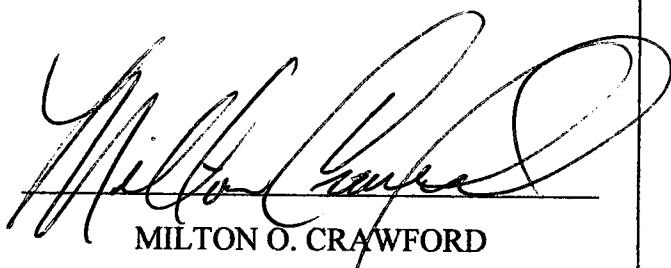
22
23 Sufficient Service of Process of the Summons and Amended Complaint was had by the Kroger
24 Company through the United States Marshals; Server: Kimberly James on Monday August 6,
25 2012, Exhibit [A] U.S. Marshals; fax Cover Sheet with comment from the Server; Kimberly
26 James acknowledging service of process executed to the Kroger Company on 8/6/12, Exhibit
27 [B] a faxed copy of the USM-285 validating service of process executed on 8/6/12, both,
28 exhibits [A] and [B] was submitted to the Court on Wednesday September 19, 2012 at 1:16pm

1 Exhibits are validated by the docket and the Court's filing stamp
2 The Kroger Company's deadline date to serve a Responsive Plea or its Motion Rule 12 was due
3 no later than Monday August 27, 2012,
4 The Kroger Company failed to serve its Responsive Plea and or its Motion Rule 12 on the
5 Plaintiff and the Court within the time required by said summons and provided by the Fed. R.
6 Cv. P., [Rule 12(a) (1) (A) (i) within 21 days after being served with the Summons and Amend
7 Complaint]
8 No waiver of service was filed by the Kroger Company, No extension of time granted by the
9 Court, The Kroger Company is neither incompetent, nor minors, or of the Military Services,
10 Twenty-five days after deadline date of August 27, 2012, the Deputy Clerk of the Court (Erin
11 Smith) entered its default against The Kroger Company on Friday September 21, 2012, due to
12 the Kroger Company failure to plead or otherwise defend in said action as required by said
13 Summons and provided by the Federal Rules of Civil Procedures; Exhibit [C] Deputy Clerk:
14 Erin Smith; Entry of default document

15 Upon the entry of default, the Kroger Company has no further standing to defend on the merits
16 or to contest the Plaintiff's right to recover, no Affirmative Defenses May Be Asserted

17
18 I, Milton O. Crawford demand relief in the sum of \$10,300,000.00 a sum certain or can be made
19 certain by computation it is the law, and for such other and further relief as the court deems
20 just

21 Dated the 27th day of August 2020,



MILTON O. CRAWFORD

P.O. Box 9263, Pahrump, Nevada 89060

(775) 537-3949

Exhibit (A)

Fax Cover Sheet with a Fax heading of;

“09/18/2012, 15:24, 51368463970, USMS, CIN, PAGE 01/02”

Pages 1



UNITED STATES MARSHALS SERVICE
Southern District of Ohio
Cincinnati, Ohio
100 East 5th Street, Room 130
Cincinnati, OH 45202

OFFICE TELEPHONE: (513) 684-3594

FAX (ADMINISTRATIVE): ()

FAX (OPERATIONS): (513) 684-6397

FAX (WARRANTS): ()

FRY 7/15/12
7/15/12
7/15/12
751-5990

TO: Milton Crawford
FROM: Kim / United States Marshal
DATE: 9/18/12
PAGES: 1 (EXCLUDING COVER PAGE)

COMMENTS:

Attached is a copy of the 285 showing
Service executed to The Proger Company on
Stelia.

Thank you

Kim

EXHIBIT B

Exhibit [B]

Faxed USM-285 with Fax heading of;

“09/18/2012, 15:24, 51368463970, USMS, CIN, PAGE 02/02”

Number of Pages 1

U.S. Department of Justice
United States Marshals ServicePROCESS RECEIPT AND RETURN
See *Instructions for Service of Process by U.S. Marshal*

PLAINTIFF

MILTON O. CRAWFORD

DEFENDANT

THE KROGER COMPANY ET AL

COURT CASE NUMBER

2:12-cv-01622-GMN-GLW

TYPE OF PROCESS

Summons and Complaint

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

SERVE THE KROGER CO. ET AL

AT ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

1014 VINE STREET, CINCINNATI, OHIO 45202-1100

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

MILTON CRAWFORD
1780 N. JILL AVE.
PAHRUMP, NV 89060

Number of process to be served with this Form 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternative Addresses, All Telephone Numbers, and Estimated Times Available for Service):

FBI

FBI

Signature of Person Other Originator requesting service on behalf of:

 PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER

DATE

(702)757-5358 5/21/12

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.
(Sign only for USM 285 if more than one USM 285 is submitted)Total Process
1District of Origin
No. 048District to Serve
No. 001

Signature of Authorized USMS Deputy or Clerk

Date

5-22-12

I hereby certify and return that I have personally served have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below. I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

 A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only if different than shown above)

Date

Time

 AM
 PM

Signature of U.S. Marshal or Deputy

5/21/12

Service Fee	Total Mileage Charges (including enders)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or (Amount of Refund*)
					50.00

REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

EXHIBIT A

Exhibit [C]

Entry of Default Document

By: The Court Deputy Clerk Erin Smith

Number of Pages 1

Case 2:12-cv-00122-GMN-GWF Document 55 Filed 09/21/12 Page 1 of 1

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Milton O Crawford,

Plaintiff(s),
vs.

VS.

Smith's Food and Drug Store, Inc., et al.,

Defendant(s).

DEFAULT

Case # 2:12-cv-00122-GMN-GWF

_____)

the **Amended** **Complaint** **May 10, 2012**
(Original, Amended, etc) **(Date Complaint was filed)**

has been regularly served upon each of the Defendants hereinafter named; and it appearing from the affidavit of counsel or Plaintiff and the records herein that each of said Defendants has failed to plead or otherwise defend in said action as required by said Summons and provided by the Federal Rules of Civil Procedure.

Now, therefore, on request of counsel for Plaintiff, the DEFAULT, as aforesaid, of each of the following Defendants Kroger Company

in the above-entitled action is hereby entered.

DATED: September 21, 2012

LANCE S. WILSON, CLERK



By: /s/ Erin Smith

Deputy Clerk